

**This order is SIGNED.**

**Dated: September 5, 2023**

*William J. Thurman*

**WILLIAM T. THURMAN  
U.S. Bankruptcy Judge**



Lon A. Jenkins (4060)  
Tami Gadd (12517)  
MaryAnn Bride (13146)  
Katherine T. Kang (14457)  
OFFICE OF THE CHAPTER 13 TRUSTEE  
465 South 400 East, Suite 200  
Salt Lake City, Utah 84111  
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**UNITED STATES BANKRUPTCY COURT  
FOR THE District of Utah**

**IN RE:**

**CASE: 23-21009**

Zachary Emmett

**CHAPTER 13**

**Debtor**

**HON. WILLIAM T. THURMAN**

Confirmation Hearing: August 31, 2023

**ORDER CONTINUING CONFIRMATION HEARING FOLLOWING CONTESTED  
CONFIRMATION HEARING**

A hearing on confirmation of the Chapter 13 plan came before this Court on August 31, 2023 11:00 am. The Standing Chapter 13 Trustee appeared personally or by counsel and other parties, if any, made their appearances on the record. Based on the representations of counsel and the Trustee, and having determined that all requirements for confirmation have NOT been met, the Court hereby ORDERS:

The hearing on confirmation is continued to October 26, 2023 at 11:00 a.m.

IT IS FURTHER ORDERED that, if the following conditions are not satisfied within the time limits set forth below, confirmation of the Debtor's plan will be denied and the case will be dismissed without further notice or hearing upon declaration by the Trustee:

1. On or before October 2, 2023, the Debtors shall file Proof of Claims with the Court for all creditors that recently had addresses added to Schedule F: Anthony Demann, Brett and Susan Conrad, Dylan Done, Jaxon Vernon, Leonard Rosenbloom, Nancy McNicol, Nova Insulation. and Tyson and Marie Gilles.

2. On or before October 2, 2023, the Debtor(s) shall provide to the Trustee's Office a copy of ALL personal and business bank statements from date of petition through August 2023.

3. On or before October 2, 2023, the Debtor(s) shall provide to the Trustee's Office a copy of personal and business Stripe and Square Vendor payout statements from date of petition through August 2023.

4. If the case is dismissed pursuant to the Debtor(s)' non-compliance with any deadline(s) set in this order, Counsel shall be awarded total fees up to \$2,500.00 to be paid from funds held by the Trustee in this case less any retainer disclosed on the Form 2030. If the case is not dismissed pursuant to the deadlines set in this order, no fees shall be deemed awarded and the Court will rule on fees in connection with a subsequent hearing or ruling in this case.

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Order Continuing Confirmation Hearing was served upon all persons entitled to receive notice in this case via ECF notification or by U.S. Mail to the following parties on September 05, 2023.

JUSTIN O. BURTON, ECF Notification

/s/ Jaci Coyle

### **DESIGNATION OF PARTIES TO BE SERVED**

Zachary Ematt, 2276 Shilo Circle, Saint George, UT 84790

JUSTIN O. BURTON, ECF Notification

LON A. JENKINS, CHAPTER 13 TRUSTEE, ECF NOTIFICATION

In re:  
Zachary Emmett  
Debtor

Case No. 23-21009-WTT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 1088-4  
Date Rcvd: Sep 06, 2023

User: admin  
Form ID: pdfor1

Page 1 of 1  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 08, 2023:

Recip ID	Recipient Name and Address
db	+ Zachary Emmett, 2276 Shilo Circle, Saint George, UT 84790-8097

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 08, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 6, 2023 at the address(es) listed below:

Name	Email Address
Aaron M. Waite	on behalf of Creditor Utah State Tax Commission aaronmwaite@agutah.gov
Justin O. Burton	on behalf of Debtor Zachary Emmett justin@rulontburton.com jeannie@rulontburton.com
Lon Jenkins tr	ecfmail@ch13ut.org lneebling@ch13ut.org
United States Trustee	USTPRegion19.SK.ECF@usdoj.gov

TOTAL: 4